

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

U.S. DISTRICT COURT
★ NOV 10 2014 ★
BROOKLYN OFFICE

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RUTHBEY PEREZ,

Plaintiff,

ORDER
14 CV 5211 (BMC)(LB)

-against-

FRONTIER AIRLINES,

Defendant.
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BLOOM, United States Magistrate Judge:

Plaintiff applies for *pro bono* counsel. (ECF No. 19.) There is no right to counsel in a civil case. Martin-Trigona v. Lavien, 737 F.2d 1254, 1260 (2d Cir. 1984). The Court cannot compel an attorney to represent a litigant in a civil case without a fee. Mallard v. U.S. Dist. Court, 490 U.S. 296 (1989). The Court may only request an attorney to volunteer and looks to a number of factors to determine whether it is appropriate to request a volunteer attorney for a particular case. The first consideration is whether the plaintiff's position is "likely to be of substance." Ferelli v. River Manor Health Care Ctr., 323 F.3d 196, 204 (2d Cir. 2003). Since this case has only recently been filed, plaintiff's complaint does not at this juncture establish the threshold requirement that plaintiff's claims are "likely to be of substance." Accordingly, plaintiff's request for *pro bono* counsel is denied without prejudice.

SO ORDERED.

/S/ Judge Lois Bloom

LOIS BLOOM

United States Magistrate Judge

Dated: November 10, 2014
Brooklyn, New York